UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,101	10/26/2000	Mikko Kanerva	875.0005USU	1599

29683 7590 07/27/2005	**EXAMINER**
HARRINGTON & SMITH, LLP	ELAHEE, MD S
4 RESEARCH DRIVE	
SHELTON, CT 06484-6212	

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr>
<td rowspan="2">Office Action Summary</td>
<td>Application No.</td>
<td>Applicant(s)</td>
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<tr>
<td>09/674,101</td>
<td>KANERVA ET AL.</td>
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<td>Examiner</td>
<td>Art Unit</td>
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<td>Md S. Elahee</td>
<td>2645</td>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 May 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 9-17* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration. ·

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 9-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is responsive to an amendment filed on 05/26/05. Claims 1-7 and 9-17 are

pending. Claim 8 has been cancelled.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-7 and 9-17 have been fully considered but

they are not persuasive.

Regarding claims 1, 12, 15 and 17, the Applicant argues on page 8, line 27-page 9, line 3

that Partridge and Alperovich both fail to disclose the following combination of features

"allowing the second subscriber to define a set of calling identities in the part of the subscriber

information stored in a service database accessed by a second network element for defining a set

of allowed calling identities <u>for incoming forwarded calls from another subscriber</u>, said allowed

calling identities being either those included or excluded from the set". The examiner disagrees

with this argument. Since, the "<u>incoming forwarded calls from another subscriber</u>" is the call

from the caller, Partridge does disclose allowing the second subscriber to define a set of calling

identities in the part of the subscriber information stored in a service database accessed by a

second network element for defining a set of allowed calling identities <u>for incoming forwarded</u>

<u>calls from another subscriber</u>, said allowed calling identities being either those included or

excluded from the set (see col.1, lines 65-67, col.2, lines 49-67, col.3, lines 1-5, 14-26). Thus the

rejection of the claim in view of Alperovich and Partridge remain.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claim 1, 12 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase 'the first network element' on page 2, lines 18 and 19 lacks sufficient antecedent basis because it is unclear which first network element the phrase is referring to.

Regarding claim 12, the phrase 'said set of calling entities' on page 5, line 16 lacks sufficient antecedent basis because it is unclear which set of calling entities the phrase is referring to.

Regarding claim 15, the phrase 'said set of calling identities' on page 6, line 16 lacks sufficient antecedent basis because it is unclear which set of calling identities the phrase is referring to.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-5, 7 and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Alperovich et al. (U.S. Patent No. 5,878,338) in view of Partridge, III (U.S. Patent No.

5,473,671).

Regarding claims 1 and 2, Alperovich teaches storing in the second register [i.e., system]

subscriber information including service definitions of a terminal C [i.e., second subscriber]

(fig.3, 4, 5; col.3, lines 45-58, col.5, lines 1-5, 34-57, 60-67, col.6, lines 1-14).

Alperovich further teaches establishing connections to the terminal C via a network

element having access to the subscriber information of the terminal C (col.3, lines 45-58).

Alperovich further teaches allowing a terminal B [i.e., first subscriber] to define in his

subscriber information that his incoming calls are to be forwarded to terminal C (col.3, lines 16-

26, col.4, lines 30-50).

Alperovich further teaches indicating the forwarding of a call and a caller's identity in a

call establishment signaling (col.3, lines 36-41).

However, Alperovich does not specifically teach "allowing the second subscriber to

define a set of caller identities in the subscriber information for defining allowed caller identities,

said allowed caller identities being either those included in or excluded from the set". Partridge

teaches allowing the subscriber [i.e., second subscriber] to define an acceptance list of callers'

number [i.e., set of caller identities] in the subscriber information for defining allowed callers'

number [i.e., caller identities], the allowed callers' number being either those included in or

excluded from the group (fig.1; col.1, lines 65-67, col.2, lines 49-67, col.3, lines 1-5, 14-26).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Alperovich to allow the second subscriber to define a set of caller identities in

the subscriber information for defining allowed caller identities, the allowed caller identities

being either those included in or excluded from the set as taught by Partridge. The motivation for

the modification is to have doing so in order to forward a call from desired caller to the called

party.

Alperovich teaches determining in the second network element whether the forwarded-

from number of called party of an incoming forwarded call belongs to the retrieved directory

number by comparing the forwarded-from number with the correlated directory number, in

response to receiving the call establishment signaling in the first network element and the first

network element contacting the second network element (abstract; col.2, lines 32-43, col.5, lines

60-67, col.6, lines 1-15, 25-28). However, Alperovich does not specifically teach determining in

the second network element whether the caller identity of an incoming forwarded call belongs to

the allowed caller identities by comparing the caller identity with said set of caller identities.

Partridge teaches determining in the second network element whether the callers' number [i.e.,

caller identity] of an incoming call [i.e., incoming forwarded call] belongs to the allowed caller

identities by comparing the callers' number with the acceptance list of callers' number [i.e., set

of caller identities] (fig.1; col.1, lines 65-67, col.2, lines 49-67, col.3, lines 1-5, 14-26). Thus, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify Alperovich to determine in the second network element whether the caller identity of an

incoming forwarded call belongs to the allowed caller identities by comparing the caller identity .

with the set of caller identities as taught by Partridge. The motivation for the modification is to

have doing so in order to establish a call from a desired calling party to a called party.

Alperovich further teaches continuing to establish the incoming forwarded call if the caller's number [i.e., caller identity] inherently belongs to the allowed identities (col.6, lines 25-28).

Alperovich further teaches blocking [i.e., rejecting] the incoming forwarded call if the caller's number [i.e., caller identity] does not belong to the allowed identities (col.5, lines 60-67, col.6, lines 1-15, 28-30).

Regarding claim 4, Alperovich teaches that caller, whose call is to be rejected, are defined by the set of caller identities (col.4, lines 51-67). (Note; it is inherent that allowed caller identity and restricted caller identity make a set)

However, Alperovich does not specifically teach "callers, whose calls are to be rejected". Partridge teaches callers, whose calls are to be rejected (fig.1; col.2, lines 49-67). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alperovich to allow callers, whose calls are to be rejected as taught by Partridge. The motivation for the modification is to have doing so in order to provide restriction on multiple callers.

Regarding claim 5, Alperovich teaches that the set of caller identities by callers whose calls are to be accepted, and rejecting calls whose caller identity does not belong to the set (col.2, lines 32-43, col.4, lines 51-67). (Note; it is inherent that any telecommunications caller identities make a set)

Regarding claim 7, Alperovich teaches that an intelligent network capable of storing subscriber information and in the first network element, the event of receiving a forwarded incoming call to the second subscriber having determined the subscriber's forwarded incoming

calls to be rejected is defined to be a trigger for sending a query to the intelligent network, and in response to having received the request to establish a call to the second subscriber and having determined that the call has been forwarded and the subscriber has determined the forwarded incoming calls to be rejected, a query having the calling party's number as a parameter is sent to the intelligent network (fig.1; col.3, lines 45-57, col.4, lines 51-67, col.5, lines 1-5).

Partridge teaches that in the intelligent network, the calling party number is compared to the set, and the network element is instructed to continue a call establishment procedure if the calling party number belongs to the set of allowed calling numbers and to reject the incoming call if the calling number does not belong to the set (col.2, lines 32-43, col.4, lines 51-67, col.5, lines 1-5).

However, Alperovich does not specifically teach "a set of allowed calling numbers in the subscriber information is stored and in response to having received the query sent by the network element, the set of allowed calling numbers is retrieved from the subscriber information". Partridge teaches a set of allowed calling numbers in the subscriber information is stored and in response to having received the query sent by the network element, the set of allowed calling numbers is retrieved from the subscriber information (fig.1; col.1, lines 65-67, col.2, lines 49-67, col.3, lines 1-5, 14-26). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alperovich to allow a set of allowed calling numbers in the subscriber information being stored and in response to having received the query sent by the network element, the set of allowed calling numbers being retrieved from the subscriber information as taught by Partridge. The motivation for the modification is to have doing so in order to provide restriction on multiple callers.

Regarding claim 9, Alperovich teaches a mobile services switching center (see fig.2, element 210a) serving the subscriber, and a visitor location register (see fig.2, element 210) connected to the mobile services switching center (fig.2, 4).

Alperovich teaches that the subscriber information is stored in the visitor location register and the network element is the mobile services switching center (fig.4; col.5, lines 34-47).

Regarding claim 10 is rejected for the same reasons as discussed above with respect to claims 1. Furthermore, Alperovich teaches a gateway mobile services switching center via which an incoming calls of the subscriber are routed (fig.2; col.4, lines 7-13).

Alperovich further teaches that the network element is the gateway mobile services switching center (fig.2; col.4, lines 7-13).

Regarding claim 11, Alperovich teaches determining whether a call has been forwarded, the presence of a forwarding number indicating the identity of the party having forwarded is studied, and if the forwarding number is present, the call is determined to be forwarded (col.4, lines 30-44, col.5, lines 60-67, col.6, lines 1-15, 25-30).

Regarding claims 12 and 15 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Alperovich teaches exchanges (fig.3, elements 30, 90).

Alperovich further teaches a service control point (SCP) 110 [i.e., service control network element] (fig.1, 3, 5; col.5, line 60-col.6, line 15).

Regarding claims 13 and 16, Alperovich teaches verifying the forwarding of a call using a redirection counter (col.4, lines 30-44; 'redirection counter' reads on the claim 'call forwarding counter').

Regarding claim 14, Alperovich teaches configuring the subscriber information stored in the storing means (fig.3, 4, 5; col.3, lines 45-58, col.5, lines 1-5, 34-57, 60-67, col.6, lines 1-14).

Regarding claim 17 is rejected for the same reasons as discussed above with respect to claims 10 and 12.

7.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. (U.S. Patent No. 5,878,338) in view of Partridge, III (U.S. Patent No. 5,473,671) further in view of Lynch (U.S. Patent No. 6,487,600).

Regarding claim 6, Alperovich in view of Partridge fails to teach "accepting calls from an unknown caller number". Lynch teaches accepting calls from an unknown caller number (col.29, lines 3-12). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alperovich in view of Partridge to allow accepting calls from an unknown caller number as taught by Lynch. The motivation for the modification is to accept the unknown caller in order to receive a link request from a user.

Allowable Subject Matter

8.   Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fleischer, III et al. (U.S. Patent No. 5,592,541) teaches Apparatus and method for forwarding incoming calls, Grimes (U.S. Patent No. 5,553,128) teaches Control of call forwarding by a target telephone, Creamer et al. (U.S. Patent No. 6,381,320) teaches Access to

extended telephone services via the internet, Hallenstal (U.S. Patent No. 6,125,126) teaches Method and apparatus for selective call forwarding and Sanchez (U.S. Patent No. 6,091,949) teaches Location triggered barring of call forwarding.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

_M .E._
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July 25, 2005

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